

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

Sandy Ruiz, on behalf of himself and all other similarly situated,

Plaintiff,

- against -

Truffa Pizzeria & Wine Room Corp. D/B/A Cocina Chente Mexican Cuisine, and Moises Lopez Sr., Roma Lopez, and Juan Rosario, individually,

Defendants.

Case No: 1:20-cv-08645-LJL

DECLARATION OF MOISES LOPEZ SR

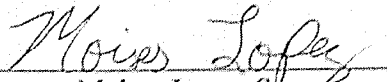
I, Moises Lopez Sr., under the penalty of perjury, declare as follows:

1. My name is Moises Lopez Sr., I am a Defendant in the above-captioned case.
2. I am a resident of the Bronx County, New York.
3. I am a brother to one of the named Defendants, Roma Lopez.
4. I worked as a cook at Truffa Pizzeria & Wine Room Corp. D/B/A Cocina Chente Mexican Cuisine (“Cocina Chente”) located at 3535 Riverdale Ave., Bronx, New York 10463 since 2017.
5. At Cocina Chente, there were only two cooks in the restaurant. One cook was primarily responsible for cooking the main dishes, making the “this week’s specials” and handling kitchen supplies, while the other cook was handling other general menus.
6. I was one of the two cooks at Cocina Chente responsible for selecting and cooking the special menus. Sandy Ruiz worked as the other cook at the restaurant.

7. Although Sandy and I worked as cooks, we performed different duties, worked on different schedules, and received different rates of pay.
8. My job duties consisted of making the “special-for-the-week’s” menus, ordering kitchen supplies and inventories, and choosing/ordering the ingredients for the week’s special menus. Sandy was responsible for cooking other general menu items in the kitchen.
9. During my employment at Cocina Chente, I regularly worked 3 or 4 days a week from 2:00 pm to 11:00 pm or from 11:00am to 5:00 pm with a one-hour break. I was paid approximately \$1,000 to \$1,200 per week.
10. I did not hire or fire Sandy Ruiz.
11. I did not have the power to hire or fire Sandy Ruiz.
12. I did not supervise Sandy’s work nor did I control his work schedule or working conditions.
13. I did not have the power to supervise Sandy’s work nor did I control his work schedule or working conditions.
14. I did not determine the rate or method of pay for employees at Cocina Chente nor did I have the authority to do so.
15. I did not have the authority to supervise any current and/or former employees of Cocina Chente, including Sandy Ruiz nor did I have the authority to control the employees’ work schedules or working conditions.
16. I do not own and have never owned any shares of Cocina Chente.
17. I was not and have never been involved in the operations of Cocina Chente in any capacity.

18. I, Moises Lopez Sr, affirm, under penalty of perjury, that the above statements are true and correct.

Dated: Flushing, New York
02/06, 2021


Moises Lopez Sr